

ORIGINAL

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

NATHAN WILSON, #258346

Petitioner,

Civil No: 2:06-CV-11989

Honorable Marianne O. Battani

Magistrate Virginia M. Morgan

v.

STATE OF MICHIGAN,

Respondent.

FILED
'06 MAY 10 NO 43
U.S. DIST. COURT CLERK
EAST DIST. MICH.
DETROIT FSG

OPINION & ORDER TO AMEND CAPTION

This matter is before the Court on Petitioner's, Nathan Wilson's, *pro se* request for Writ of Habeas Corpus pursuant to 28 U.S.C. §2254. Petitioner, a state prisoner confined at Oaks Correctional Facility, in Manistee, Michigan, is challenging his June 23, 1997 conviction for first degree criminal sexual conduct, felon in possession of a weapon during the commission of a felony, armed robbery and car jacking. Petitioner's request for habeas relief has the State of Michigan listed as a party respondent. The proper respondent in a habeas corpus action is the person who holds the petitioner in custody. 28 U.S.C. § 2243 ¶2; *Rule 2(a) of the Rules Governing Section 2254 Cases in the United States District Courts*. As previously stated, Petitioner is confined at Oaks Correctional Facility where Cindi S. Curtin is the warden. Because Warden Curtin is Petitioner's custodian, the caption in this case is amended to read: Nathan Wilson v. Cindi S. Curtin.

DATED:

s/ R. Steven Whalen

R. STEVEN WHALEN

UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF MAILING

I certify that a copy of this order was served upon petitioner on the date indicated below by first class mail.

Dated: MAY 10 2006

E. Will
Deputy Clerk